

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

RICHARD ANTHONY NIELSON,

Petitioner,

v.

UNKNOWN,

Respondent.

No. 2:23-cv-2744 KJN P

ORDER

Petitioner is a state prisoner, proceeding without counsel, with this action. For the reasons stated herein, petitioner is granted thirty days to file a habeas corpus petition.

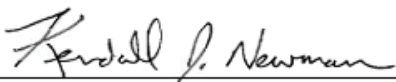
On November 28, 2023, petitioner opened this action by filing a letter with the court. (ECF No. 1.) Petitioner filed no other pleadings. On December 6, 2023, the undersigned granted petitioner thirty days to file a habeas corpus petition. (ECF No. 3.) The undersigned directed the Clerk of the Court to send petitioner the form for a habeas corpus petition. (Id.) The undersigned also granted petitioner thirty days to file an application to proceed in forma pauperis or pay the filing fee. (Id.)

Petitioner paid the filing fee. However, petitioner did not file a habeas corpus petition within thirty days of the December 6, 2023 order. Instead, petitioner filed three documents. (ECF Nos. 4, 5, 6.) While none of the three documents are a habeas corpus petition, the three documents appear to reflect petitioner's interest in proceeding with this action.

Accordingly, IT IS HEREBY ORDERED that:

1. The three documents filed by petitioner (ECF Nos. 4, 5, 6) are deemed non-responsive to the December 6, 2023 order;
2. Petitioner is granted thirty days from the date of this order to file a habeas corpus petition on the habeas corpus petition form served on petitioner by the Clerk of the Court on December 6, 2023; and
3. Failure to comply with this order will result in dismissal of this action.

Dated: January 16, 2024


KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE

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